

Central Valley Regional Water Quality Control Board

24 May 2013

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1075 Cellars
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CERTIFIED MAIL
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NOTICE OF APPLICABILITY, CONDITIONAL WAIVER OF WASTE DISCHARGE REQUIREMENTS FOR SMALL FOOD PROCESSORS AND SMALL WINERIES WITHIN THE CENTRAL VALLEY REGION, ORDER R5-2009-0097-0085, JAMES PETERSON AND BRAD PETERSON, 1075 CELLARS, SAN JOAQUIN COUNTY

Central Valley Regional Water Quality Control Board (Central Valley Water Board) staff reviewed the 28 February 2013 Report of Waste Discharge (RWD) submitted by 1075 Cellars to apply for regulatory coverage under the Conditional Waiver of Waste Discharge Requirements for Small Food Processors and Small Wineries within the Central Valley Region, Order R5-2009-0097 (Order). The Order, which was adopted by the Central Valley Water Board on 8 October 2009, is a conditional waiver of waste discharge requirements for small wineries and small food processors.

The facility and property are owned and operated by James Peterson and Brad Peterson, hereafter jointly referred to as the "Discharger." Based on the information submitted, the discharge as described in the RWD satisfies the general and specific conditions of Order R5-2009-0097 for the projected volume of wastewater to be produced. You are hereby assigned Order R5-2009-0097-0085. A copy of the Order is enclosed and it is also available on the internet at:

http://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/#waivers

Please familiarize yourself with the contents of the Order including the discharge and monitoring requirements. The facility must be operated in accordance with the requirements contained in the Order and with the information submitted in the RWD and additional information submitted to complete the RWD. Failure to comply with the monitoring and reporting requirements of the Order may result in enforcement action pursuant to California Water Code, Section 13261, which can include imposition of civil liability (a fine).

DISCHARGE DESCRIPTION

1075 Cellars is located at 1075 W. Turner Road, Lodi, San Joaquin County. The winery is located on approximately 19.31 acres of land (APN 015-050-15) that includes approximately 18 acres of vineyards and an area of winery buildings. Structures at the facility consist of an office and several small outbuildings (sheds and garages).

1075 Cellars previously received a Notice of Applicability to R5-2003-0106, Conditional Waiver of Waste Discharge Requirements for Small Food Processors and Small Wineries within the Central Valley Region, which expired on 11 July 2008 and was later replaced with R5-2009-0097. Since that time, 1075 Cellars has continued to operate and submit monitoring reports pursuant to the expired waiver.

Wastewater generated during crushing, bottling, and racking is collected and stored in a portable 1,500 gallon holding tank. The water is then transferred to the vineyards where it is spray applied at agronomic rates. In future year's wastewater distribution will be converted to a pressurized drip system. Approximately 16,500 gallons of winery process wastewater was produced in 2012 and is expected to average this amount in future years. Current wastewater management practices do not include off-site disposal of winery wastewater or discharge to nearby surface waters.

Crush solids and recovered skimmed solids during fermentation are separated out and transferred into plastic macro bins for transport back to the vineyards. The material is spread out by hand within 12 hours after crush. Approximately 20 tons of pomace (stems, seeds, and skins) are generated from grape crushing activities conducted between September and November each year. Because the vineyard is at a slightly lower elevation than access roads that surround the perimeter of the property, this elevation difference provides tailwater containment and prevents stormwater runoff. All storm water is retained on-site.

Domestic wastewater for the site is discharged to a nearby leachfield system under permit through San Joaquin County.

MONITORING AND REPORTING

The Order includes specific monitoring and reporting requirements that you must comply with, including routine monitoring and reporting to the Central Valley Water Board. Please review the Monitoring and Reporting Program closely and establish the appropriate record keeping system so that you are able to complete the required Annual Monitoring Report form, contained in the Order. **By February 1 of each year**, the Annual Monitoring Report form must be submitted to our office, even if there is no discharge during the reporting year.

GENERAL INFORMATION AND REQUIREMENTS

The Order includes specific and general conditions required for your operation. In addition, you must maintain control over the discharge and operate in accordance with the information provided in your application and this Notice of Applicability.

Please review this Notice of Applicability carefully to ensure that it completely and accurately reflects the facility name, location, and discharge. Failure to comply with the requirements of the Order may result in enforcement action as authorized by provisions of the California Water Code, which could include civil liability. Discharge of wastes not described in the RWD is prohibited. If the method of waste disposal changes from that described in your application, you must submit an updated RWD to describe the new operation.

Please note that the Order will expire on **8 October 2014**, at which time you must provide one of the following:

1. Submit a new application with a filing fee to obtain coverage under a subsequently adopted waiver; or
2. Submit an application with a filing fee to apply for individual or general Waste Discharge Requirements, or
3. Cease the discharge.

If you have any questions regarding submitting an updated RWD, or questions about your permit obligations, please contact Mr. Scott Armstrong of the Discharge to Land Permitting Unit, at (916) 464-4616 or sarmstrong@waterboards.ca.gov.

All compliance and enforcement questions should be directed to Mr. Brendan Kenny of the Compliance and Enforcement Section, at (916) 464-4635 or bkenny@waterboards.ca.gov. All monitoring reports must be submitted to Mr. Kenny by the compliance due date.

Original signed by Andrew Altevogt for:

PAMELA C. CREEDON
Executive Officer

Enclosure: Conditional Waiver of WDRs, Order No. R5-2009-0097

cc: Mr. Rodney Estrada, San Joaquin County Environmental Health Dept., Stockton